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A. Kyle Everett

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

BENJA INCORPORATED,

Debtor.

Case No. 20-30819-DM

Chapter 7

**DECLARATION OF JENNIFER C.
HAYES IN SUPPORT OF
REQUEST FOR ENTRY OF
ORDER BY DEFAULT
APPROVING TRUSTEE'S
MOTION TO COMPROMISE OF
CONTROVERSY (BUERCK
PARTIES)**

I, Jennifer C. Hayes, declare as follows:

1. I am a partner at Finestone Hayes LLP, counsel of record for A. Kyle Evertt in his capacity as the duly appointed Chapter 7 Trustee of the bankruptcy estate of Benja Incorporated (the "Debtor") in the above-captioned case (the "Bankruptcy Case").

2. All statements in this declaration are based on my own personal knowledge and observation, or upon information and belief based upon my review of the court and business records in this case. If called to testify on this matter, I could and would competently testify to the matters set forth in this Declaration.

1. I make this Declaration in support of the concurrently filed Request for Entry of Order by Default. On January 6, 2022, the Trustee caused to be filed his Motion to Approve Compromise of Controversy with the Buerck Parties (the “Motion”) and the supporting declaration of A. Kyle Everett. ECF 103, 103-1. Also on January 6, 2022, the Trustee caused to be filed the Notice and Opportunity for Hearing (the “Notice”) relating to the Motion. ECF 104. I am informed and believe that the Notice was served on creditors on the Court’s mailing matrix on January 6, 2022. ECF 105, 106.

2. The Notice indicated that anyone wishing to object to the proposed stipulation was required to do so by filing and serving a written objection no later than 21 days from the date on which the Notice was served. The last day for filing and serving objections was January 27, 2022. I received no objections, and none were filed in the bankruptcy case. I did, however, receive one inquiry about the Motion by e-mail from an investor in Benja, who asked if he understood the mathematical calculations in the Motion. I promptly responded to the investor by e-mail, explaining the Motion and its mathematical calculations. Thereafter, I did not receive any further communications from the investor.

I declare under penalty of perjury that the above statements are true and that if called as a witness I could and would testify to their truthfulness. This declaration is executed on January 28, 2022, in Contra Costa County, California.

/s/ Jennifer C. Hayes

Jennifer C. Hayes

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